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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09 833,507	04 11 2001	Ralph A. Mosher	D A0584Q	2992

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EXAMINER

YOON, TAE H

ART UNIT	PAPER NUMBER
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1714

13

DATE MAILED: 03 22 2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/233,507

Applicant(s)

Moster et al.

Examiner

T. Yoon

Group Art Unit

1714

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-20 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-20 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☒ The proposed drawing correction, filed on 4-11-01 is ☒ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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Blank lines regarding US applications on pages 1 and 2 are objected.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-13, 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Okunuki et al (US 5,112,708).

Okunuki et al teach the instant adhesive comprising a polyamide and electrically conductive filler at col. 3, lines 37-49, col. 5, lines 54-64 and col. 6, lines 3-24, and in tables 3 and 4. The instant pyrolyzed polyacrylonitrile is carbon black or graphite absent other limitation. Thus, the instant invention lacks novelty.

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Claims 1, 8, 9, 11, 13 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Jung et al (US 5,728,181).

Jung et al teach the instant adhesive comprising a polyamide and electrically conductive filler at col. 3, lines 43-61. Thus, the instant invention lacks novelty.

Claims 1-6, 8-13, 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nakamura et al (US 5,923,925).

Nakamura et al teach the instant adhesive comprising a polyamide and electrically conductive filler at col. 4, line 19 to col. 6, line 49. The instant alcohol soluble polyamide is taught at col. 10, lines 34-39. Nakamura et al also teach the charge-transporting comprising a binder and charge-transporting substances at col. 7, lines 35-46 wherein polyamide resins are seen. Thus, the instant invention lacks novelty.

Claims 1-14, 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as obvious over Nakamura et al (US 5,923,925) in view of Everaerts et al (US 5,858,545) or Dinh et al (US 6,207,334).

The instant invention further recites quaternary ammonium salt and charge transporting molecules over Nakamura et al. However, said quaternary ammonium salt and charge transporting molecules having an electrically conducting property are well known as taught by

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Everaerts et al (abstract and col. 16, lines 35-38) and Dinh et al (col. 16, line 18 to col. 19, line 14).

It would have been obvious to one of ordinary skill in the art at the time of the instant invention to utilize the art well known quaternary ammonium salt or charge transporting molecules taught by Everaerts et al and Dinh et al in Nakamura et al since Nakamura et al teach employing various electrically conducting fillers and charge transporting molecules (such as biphenylene derivatives, col. 7, line 39) absent showing otherwise.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Akram (US 6,064,116).

Akram teaches the instant adhesive comprising a polyamide and electrically conductive filler at col. 4, lines 43-50. Thus, the instant invention lacks novelty.

Claims 1-6, 8 and 14-20 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fuller et al (US 6,096,470) or Dinh et al (US 6,207,334).

Fuller et al teach an alcohol soluble polyamide composition containing a charge transporting molecule and crosslinked by an oxalic acid in example II, and at col. 17, line 36 to col. 19, line 19. Dinh et al teach the same in example II, and at col. 16, line 19 to col. 19, line 13. The recited volume resistivity is an inherent property. Thus, the instant invention lacks novelty.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae H. Yoon whose telephone number is (703) 308-2389. The examiner can normally be reached on Monday to Thursday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

THY/March 19, 2002



TAE H. YOON
PRIMARY EXAMINER